

REMARKS

Enclosed is a cd containing copies of each foreign patent and non-patent document supplied on April 21, 2003.

Claims 1-54 are pending in the application. Claims 16, 17 and 31-54 were previously withdrawn from consideration due to an earlier restriction (election) requirement. Applicant has cancelled the withdrawn claims 16, 17 and 31-54 without prejudice to Applicant's right to file claims of similar scope in one or more continuing or divisional applications. Claim 11 has been amended. Claims 1-15 and 18-30 remain in this application.

Claim 11 has been indicated as being allowable if rewritten in independent form and has been amended to overcome the objection.

Claims 1-9, 12-15, 18, and 20-30 were rejected under 35 U.S.C. §102(e) as being anticipated by Allen et al. (US Patent 6,334,856).

Claims 10, 18 and 19 were rejected under 35 U.S.C. §103(a) as being obvious over Allen et al. (US Patent 6,334,856).

Applicants respectfully traverse all rejections under Allen et al. The cited section of Allen et al. discuss and describe employing a material that is volatile or leaches out of the matrix and therefore leaves the matrix during formation. Claim 1 recites a microneedle formed of a first material and a second material. Allen et al. teach in the cited section a microneedle manufactured or formed by using silicon and a doping material, not formed of a first and second material, as recited in claim 1.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response in addition to the fees provided for on the Fee Transmittal sheet. However, if an additional fee is due, please charge our Deposit

Application No.: 10/023259

Docket No.: BVTP-P01-590

Account No. 18-1945, under Order No. BVTP-P01-590 from which the undersigned is authorized to draw.

Dated: February 27, 2004

Respectfully submitted,

By 

Edward J. Kelly

Registration No.: 38,986

ROPES & GRAY LLP

One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant